

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF NICHOLAS MCADAMS
COUNTY OF HENNEPIN)

I, Nicholas McAdams, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since May 2016. I am assigned to the St. Paul Field Division, St. Paul Field Office, in the judicial district of Minnesota. I received a Bachelor of Arts degree in International Studies from University of St. Thomas, located in St. Paul Minnesota, in May 2008, and a Master of Arts degree in Criminal Justice from American Military University, located in Charles Town, West Virginia, in February 2015. Prior to becoming an ATF agent, I served in the United States Marine Corps where I attained the rank of Major as a Military Police Officer. As an ATF Special Agent, my duties and responsibilities include conducting criminal investigations of individuals and entities for possible violation of Federal laws, including those laws found in Title 18 and Title 21 of the United States Code. I have successfully completed courses in criminal investigations, tactical training in executing searches of persons and premises, courses in federal firearms violations, and other general investigative matters. I have participated in several investigations that have resulted in the arrests,

searches, seizures, and convictions of individuals who have violated Federal firearms and narcotics laws.

2. This affidavit is submitted for the limited purpose of establishing probable cause in support of issuing a complaint for **WAYNE ROBERT DANIELSON** for Dealing in Firearms Without a License in violation of 18 U.S.C. § 922(a)(1)(A).

3. The facts set forth herein are based on my personal knowledge, my training and experience, and information obtained from other law enforcement personnel. The facts set forth herein are intended to show that there is sufficient probable cause for the requested complaint and summons and do not include the complete facts related to this investigation.

PROBABLE CAUSE

4. On May 8, 2022, South Saint Paul Police were dispatched to the 300 block of Duke Street on a report of a shooting. Upon arrival, officers discovered that a 17-year-old male had been shot by an unknown person in the roadway outside of his residence. Despite rendering aid, the victim succumbed to his wounds at the scene.

5. During the investigation that ensued, South St. Paul Police discovered that the victim had been texting with another individual about conducting a marijuana sale. Further investigation identified another 17-year-old male, C.A.S.,

as the other individual. South St. Paul Police later determined that C.A.S. had shot the victim during the drug transaction and then fled.

6. On May 9, 2022, members of the Dakota County Drug Task Force and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), assisted by the Minnesota Bureau of Criminal Apprehension (BCA) tracked C.A.S. to a park in Saint Paul, Minnesota, and arrested him. During a search incident to arrest, investigators found a 9mm pistol, serial number xxxxxxxx¹ on C.A.S.'s person. He was subsequently arrested and charged in Dakota County, Minnesota with 2nd Degree Murder for the shooting.

7. On May 11, 2022, investigators with South Saint Paul Police Department conducted an eTrace of the recovered firearm. On May 27, 2022, they received the results of this trace back from the ATF National Tracing Center. The trace revealed that the firearm had been purchased by Wayne Robert DANIELSON (DOB xx/xx/1963) on December 1, 2022, resulting in a 159-day time-to-recovery; meaning, there were 159 days between DANIELSON's purchase and the recovery of the pistol on C.A.S. at the time of his arrest. Time-to-recovery is one of several metrics ATF uses to identify firearms trafficking. DANIELSON resides in Aurora, Minnesota, and purchased this firearm in Virginia, Minnesota, approximately 200 miles away from the scene of the shooting. He does not have a

¹ All redacted information herein is known to me and available to the Court.

license to sell firearms. South Saint Paul investigators contacted the sporting goods store from which DANIELSON purchased the firearm and determined that he has made frequent purchases of firearms from the store. The South Saint Paul investigators contacted me for assistance.

8. I conducted a query of eTrace for DANIELSON to check whether he was the purchaser or possessor in any firearms traces that had been previously run through ATF's National Tracing Center. I discovered that DANIELSON was associated with three firearms traces, including the aforementioned shooting. The other two traces were: a 28-day time-to-recovery for a Taurus pistol recovered in Minneapolis, Minnesota, and a 682-day time-to-recovery for a Ruger pistol recovered in Virginia, Minnesota. Danielson also was the purchaser of record in five multiple-firearm transactions.

9. In the Minneapolis gun recovery, a handgun that DANIELSON purchased was discovered in possession of a 19-year-old following a traffic stop in a high-crime area. The driver of the vehicle initially denied possessing the firearm, but eventually admitted to the possession. The vehicle was initially stopped for illegal tint, and subsequently searched for marijuana being observed in plain view.

10. During the Virginia, Minnesota recovery, a 20-year-old male called Duluth Police Department to report that an acquaintance had robbed him of his

firearm at his residence. During the follow-up investigation, the victim reported he had obtained the firearm from a friend who purchased it online. The firearm was eventually recovered on the named suspect more than one year later. From the time DANIELSON purchased the firearm to the time it was reported stolen, only 218 days had elapsed. DANIELSON purchased this firearm at a dealer in Virginia, Minnesota, not online.

11. I contacted the federal firearms licensee's (FFL) identified by the traces and requested copies of all ATF Form 4473's (Firearms Transaction Records) and Multiple Sales Forms retained by the businesses. The address on these forms matches DANIELSON's address of record. Over the course of several weeks, I compiled a list from these FFLs of approximately 50 firearms purchased by DANIELSON between May 2019 and August 2022. Of note, DANIELSON appears to make purchases of identical firearms multiple times throughout this period. For example, DANIELSON has purchased five Taurus G2C 9mm pistols between March 2021 and January 2022. The purchase of multiples of the same firearm is another indicator used by ATF to identify possible firearms traffickers.

12. In my training and experience, people who engage in repeated purchase and resale of guns without a license almost always do so for the purpose of making a profit.

CONCLUSION

13. Based on the foregoing, I respectfully submit that there is probable cause to believe that from in or about May 2019 ^{ew}
~~2020~~ ^{AM}, continuing through on or about August 2022, WAYNE ROBERT DANIELSON was Dealing in Firearms Without a License in violation of 18 U.S.C. § 922(a)(1)(A).

Further Your Affiant Sayeth Not.



NICHOLAS MCADAMS
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives (ATF)

SUBSCRIBED and SWORN before me
By reliable electronic means (Zoom and
email) pursuant to Fed. R. Crim. P. 41(d)(3) on
November 14, 2022.



ELIZABETH COWAN WRIGHT
United States Magistrate Judge
District of Minnesota